

**CHARGES AND SPECIFICATIONS**

PD468-121 (Rev.1-02)-Pent

Date
MAY 26, 2015

Command 79 th Precinct/079	Serial No. CCRB No. 201405942	I.A.B. Log No. 2015-15067	I.A.B. Member Notified Sgt. Dario Tax No. 932520	Department Advocate's Office Serial Number 2015 - 13446
--	-------------------------------------	------------------------------	--	---

TO THE POLICE COMMISSIONER:

I hereby CHARGE	Rank-Title	Surname	First Name	Initial	Shield No.	Tax Reg. No.
	POM	ORTEGA	EMILIO		06216	916969
Squad or Chart No.	Command	Date Entered Dept.				
	79 TH Precinct/079	JANUARY 9, 2006				

with VIOLATION OF DEPARTMENT REGULATIONS

SPECIFICATIONS

in that:

1. Said Police Officer Emilio Ortega, on or about June 11, 2014, at approximately 1748 hours, while assigned to the 79TH Precinct and on duty, in the vicinity of Ellery Street and Marcy Avenue, Kings County, abused his authority as a member of the New York City Police Department in that he stopped § 87(2)(b) without sufficient legal authority.

PG 212-11 Page 1, Paragraph 1 – STOP AND FRISK

2. Said Police Officer Emilio Ortega, on or about June 11, 2014, at approximately 1748 hours, while assigned to the 79TH Precinct and on duty, in the vicinity of Ellery Street and Marcy Avenue, Kings County, engaged in conduct prejudicial to the good order, efficiency or discipline of the New York City Police Department, in that he searched § 87(2)(b) vehicle without sufficient legal authority.

PG 203-10 Page 1, Paragraph 5 – PUBLIC CONTACT – PROHIBITED CONDUCT

3. Said Police Officer Emilio Ortega, on or about June 11, 2014, at approximately 1748 hours, while assigned to the 79TH Precinct and on duty, in the vicinity of Ellery Street and Marcy Avenue, Kings County, did wrongfully use force against § 87(2)(b) in that he punched § 87(2)(b) in the face.

PG 203-11 – USE OF FORCE

Vivian Cedeno
Deputy Chief Prosecutor
Administrative Prosecution Unit
New York City Civilian Complaint Review Board

5/26/15
Date

Instructions: After all specifications are entered, list witnesses for the department. (If witness is civilian, enter name and address on Official Letterhead PD 158-151). If member of the force, give rank, name, shield number and command. Also indicate scheduled vacation (if any), chart, Squad no., or working schedule of complainant, respondent and witnesses (if member of the department).

1st ENDORSEMENT

Executive Director Mina Malik of the Civilian Complaint Review Board to the Police Commissioner, May 26, 2015. I concur with the issuance of charges and specifications.


 Mina Q. Malik, Executive Director
 New York City Civilian Complaint Review Board

INSTRUCTIONS FOR SERVICE OF CHARGES AND SPECIFICATIONS

1. Respondent will sign and complete where appropriate:
 - a. original charges and specifications
 - b. vacation and military leave form
 - c. two (2) copies of instructions and receipt of charges and specifications
 - d. agreement to accept service of notice form (when requested in suspension cases only).
2. Respondent will receive:
 - a. one (1) copy of charges and specifications
 - b. one (1) copy of instructions and receipt of charges and specifications form

ACKNOWLEDGEMENT OF SERVICE

I acknowledge due personal service on me of the within Charges and Specifications and notice of Hearing, this day of JUNE, 2015 at 0940 AM/PM.

WITNESS

(Rank
Title)

(Signature)

RESPONDENT

(Rank Title)

(Signature)

DATE STAMP

D.A.O.

(Out)

CMD PREFER C&S

(In)

(Out)

HIGHER COMMAND

(In)

(Out)

D.A.O.

(In)

3 JUN 2015 07 43
 SEPT. ADVOCATE'S OFFICE
 CHARGES UNIT
 NYPD